

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE PEYTON FIRE PROTECTION DISTRICT HELD NOVEMBER 9, 2021

A Special Meeting of the Board of Directors of the Peyton Fire Protection District (referred to hereafter as "Board") was held on Tuesday, the 9<sup>th</sup> day of November, 2021, at 6:30 p.m. at the Peyton Fire Protection District Fire Station, 13665 Railroad Street, Peyton, Colorado 80831 and was also held by conference call. The meeting was open to the public.

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#### ATTENDANCE

#### Directors In Attendance Were:

David Rolenc  
Clayton Miller  
Amy Turner  
Ryan Orness

#### Also In Attendance Were:

David Solin; Special District Management Services, Inc. ("SDMS")

Jack Reutzler, Esq.; Fairfield & Woods, P.C.

Chief Jeff Turner

Deputy Chief Oakley Revels

John Hill; Ranchland News

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#### PLEDGE OF ALLEGIANCE

Pledge of Allegiance: Director Rolenc led the Board in reciting the Pledge of Allegiance.

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#### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Attorney Reutzler noted that conflicts were filed for applicable Directors at least 72 hours prior to the meeting. Mr. Solin also noted that a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting. No conflicts were noted.

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### ADMINISTRATIVE MATTERS

**Agenda:** Mr. Solin reviewed the proposed Agenda for the District's Special Meeting.

Following discussion, upon motion duly made by Director Rolenc, seconded by Director Miller and, upon vote, unanimously carried, the Agenda was approved, as amended.

**Meeting Location/Manner and Posting of Meeting Notice:** The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. The Board noted that due to the threat posed by the COVID-19 coronavirus, the meeting was held via teleconference and at the physical location.

Mr. Solin reported that notice was duly posted and that no objections to the telephonic manner of the meeting or any requests that the telephonic manner of the meeting be changed by taxpaying electors within the District boundaries have been received.

**Minutes:** The Board reviewed Minutes from the October 12, 2021 Special Meeting.

Following discussion, upon motion duly made by Director Turner, seconded by Director Rolenc and, upon vote, unanimously carried, the Minutes of the October 12, 2021 Special Meeting were approved, as presented.

**Resolution No. 2021-11-01; Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Locations for Posting of 24-Hour Notices:** Mr. Solin discussed with the Board Resolution No. 2021-11-01; Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Locations for Posting of 24-Hour Notices.

The Board determined to meet at 6:30 p.m. on the second Tuesday of each month both in person at Peyton Fire Protection District, 13665 Railroad Street, Peyton, CO 80831, and via conference call.

Following discussion, upon motion duly made by Director Turner, seconded by Director Miller and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-11-01; Establishing Regular Meeting Dates, Time and Location, and Designating Location for 24-Hour Notices.

**§32-1-809, C.R.S. Reporting Requirements, Mode of Eligible Elector Notification for 2022:** The Board discussed §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2022.

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Following discussion, upon motion duly made by Director Turner, seconded by Director Miller and, upon vote, unanimously carried, the Board determined to post the required transparency notice information on the Special District Association's website and the District website.

**PUBLIC COMMENT** There were no comments from the public.

### **FINANCIAL MATTERS**

**Claims:** The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period Ending October 31, 2021
General	\$ 14,817.57
Debt	\$ -0-
Capital	\$ -0-
<b>Total</b>	<b>\$ 14,817.57</b>

Following discussion, upon motion duly made by Director Turner, seconded by Director Orness and, upon vote, unanimously carried, the Board ratified the approval of the payment of claims as presented.

**Financial Statements:** Mr. Solin reviewed with the Board the unaudited financial statements of the District for the period ending October 31 2021 and statement of Cash Position as of October 31 2021.

Following discussion, upon motion duly made by Director Orness, seconded by Director Rolenc and, upon vote, unanimously carried, the Board accepted the unaudited financial statements of the District for the period ending October 31 2021 and statement of Cash Position as of October 31 2021.

**Future Financing Ideas:** The Board deferred discussion.

**2021 Application for Exemption from Audit:** The Board discussed the requirements for an audit.

Following discussion, upon motion duly made Director Miller, seconded by Director Rolenc and, upon vote, unanimously carried, the Board approved the appointment of the District Accountant to prepare the Application for Exemption from Audit for 2021.

**2021 Budget Amendment Hearing:** The President opened the public hearing to consider the Resolution to Amend the 2021 Budget and discuss related issues.

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It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2021 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received, and the public hearing was closed.

Following review and discussion, Director Miller moved to adopt the Resolution to Amend 2021 Budget, Director Turner seconded the motion and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-11-02 to Amend the 2021 Budget. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

**2022 Budget Hearing:** The President opened the Public Hearing to consider the proposed 2022 Budget and to discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2022 Budget and the date, time and location of the Public Hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this Public Hearing. No public comments were received and the Public Hearing was closed.

Mr. Solin reviewed the estimated 2021 expenditures and the proposed 2022 expenditures.

Following discussion, the Board considered adoption of Resolution No. 2021-11-03; Resolution to Set Mill Levies (for the General Fund at 6.130 mills, for the Debt Service Fund at 0.000 mills and Other Funds at 0.004 mills, for a total mill levy of 6.134 mills) and Resolution No. 2021-11-04; Resolution to Adopt the 2021 Budget and Appropriate Sums of Money. Upon motion duly made by Director Rolenc, seconded by Director Turner and, upon vote, unanimously carried, the Resolutions were adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2021. The District Manager was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of El Paso County and the Division of Local Government. The District Manager was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2022. Copies of the Resolutions are attached hereto and incorporated herein by this reference.

**DLG-70 Mill Levy Certification Form:** The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

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Following discussion, upon motion duly made by Director Rolenc, seconded by Director Turner and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

**2023 Budget Preparation:** The Board discussed the preparation of the 2023 Budget.

Following discussion, upon motion duly made by Director Rolenc, seconded by Director Turner and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2023 Budget. The Board determined to hold the public hearing to consider adoption of the 2023 Budget on November 8, 2022.

**Closure of the FirstBank Branch at 11695 Meridian Market View Road, Peyton, CO 80831:** The Board entered into discussion regarding the closure of the FirstBank Branch at 11695 Meridian Market View Road, Peyton, CO 80831. The Board further directed Mr. Beck to call FirstBank to research and resolve the purpose for the Fraud Department calling Director Rolenc.

### **OFFICER REPORTS/ ANNOUNCEMENTS**

#### **Fire Chief:**

*Monthly Call Volumes:* Chief Turner reported that 47 calls were received in October.

*Personnel Count:* Chief Turner reported that there are currently 10 active fire fighters, two on probationary status, and one intern from the military.

*District Vehicles:* Chief Turner reported that all vehicles are in service.

**Deputy Chief:** Deputy Chief Revels reported to the Board the Department procured 57 new SCBA masks and bedroom furniture and lockers.

**Captain:** There was no report at this time.

**President:** There was no report at this time.

**Vice President:** There was no report at this time.

**Treasurer/Assistant Secretary:** There was no report at this time.

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**Secretary:** Director Turner reported to the Board the holiday dinner will be held on December 8, 2022 and requested a headcount of those planning to attend from the Board.

**Auxiliary Report:** There was not report at this time.

**Establishing the Auxiliary as a 501(c)(3) Non-Profit Organization:** Attorney Reutzel reported that there were no updates at this time.

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### **LEGAL MATTERS**

**Possible Station:** Chief Turner updated the Board on the status of conversations regarding obtaining land for the District. Attorney Reutzel offered to provide some additional assistance to Chief Turner, including an analysis of the various options for acquisition of the property.

**Election Resolution:** The Board discussed Resolution No. 2021-11-04; Resolution Calling a Regular Election for Directors on May 3, 2022, appointing the Designated Election Official (“DEO”) and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election.

Following discussion, upon motion duly made by Director Rolenc, seconded by Director Miller and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-11-04; Resolution Calling a Regular Election for Directors on May 3, 2022, appointing the DEO and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

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### **OPERATIONS AND MAINTENANCE**

**Strategic Plan:** There were no updates at this time.

**Grant Funding Opportunities:** There were no updates at this time.

**Wildland Fire Program:** There were no updates at this time.

**Computer and Security System Maintenance:** There were no updates at this time.

**Internet Monitoring:** There were no updates at this time.

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### **OTHER BUSINESS**

**Upcoming Events:** It was noted that the Department’s Holiday Dinner will be held on December 8th.

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**Future Agenda Items:** No additional items were added.

### **ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made by Director Miller, seconded by Director Rolenc and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By /s/ Amy Turner  
Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL NOVEMBER 9, 2021 MEETING MINUTES OF THE PEYTON FIRE PROTECTION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

\_\_\_\_\_  
Clayton Miller

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David Rolenc

*Ryan Orness*  
\_\_\_\_\_  
Ryan Orness

*Amy Turner*  
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Amy Turner